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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/760,215

01/21/2004

Kia Silverbrook

WAL07US

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

HUFFMAN, JULIAN D

ART UNIT

PAPER NUMBER

2853

MAIL DATE

DELIVERY MODE

07/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/760,215 | Applicant(s) SILVERBROOK ET AL. | |
| | Examiner Julian D. Huffman | Art Unit 2853 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,8,9,14,21-31,40,44,45,47 and 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,8,9,14,21-31,40,44,45,47 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3 April 2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 14, 21-23, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Yamasaki (U.S. 20020070990 A1).

Martin discloses:

With regards to claim 1, a printer (fig. 2, element 18) for producing rolls of wallpaper (0009), comprising:

a cabinet in which is located a media path which extends from a media loading area to a winding area (fig. 2);

a printhead (20) located in the media path;

a processor (38) which accepts operator inputs from one or more input devices (36, 37) which are used to configure the printer for producing a particular roll; and the winding area adapted to removably retain a core and wind onto it, wallpaper produced by the printer wherein (fig. 2), the length and design of the roll are determined by the operator inputs (0010).

With regards to claim 14, a printer as claimed in claim 1, wherein:

the path comprises a generally straight path (fig. 2).

With regards to claims 21-23, the printing rate is given little weight and does not substantially further limit the structure of the device. Martin is capable of printing at the claimed rates.

With regards to claim 40, a printer as claimed in claim 1 further comprising:

a frame in which is located a media path which extends from a media loading area to a winding area (fig. 2);

a printhead (20) located across the media path;

one or more input devices for capturing operator instructions (36, 37);

a processor (38) which accepts operator inputs which are used to configure the printer for producing a particular roll; and

the winding area adapted to removably retain a core and wind onto it, wallpaper produced by the printer (fig. 2).

Martin discloses everything claimed with the exception of a bar code scanner.

Yamasaki discloses a bar code scanner in a printer (0171).

The limitation that the bar code scanner is for capturing a selection of a pattern or patterns from a collection of patterns to be printed by the printhead does not further limit the claimed apparatus. Since the bar code scanner of Martin in view of Yamasaki is capable of operating in this manner, it satisfies the claim language.

It would have been obvious to one having ordinary skill in the art at the time of the invention to provide the bar code scanner of Yamasaki in the invention of Martin and to use the scanner to select a pattern to be printed for the purpose of freeing the user from having to make manual selections (0171).

4. Claims 8, 9, 24-31, 44, 45 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Yamasaki as applied to claims 1, 14, 21-23, and 40 above, and further in view of Silverbrook (U.S. 20020154189 A1).

Martin as modified discloses everything claimed with the exception of a full width color printhead located on a rail along which it slides for service and removal with more than 250,000 nozzles which prints ink drops with a volume of less than 1.5 picoliters, the full width printhead being supplied with a number of different inks which are remote from the printhead and which supply the printhead through tubes/disconnect coupling and an ink supply harness.

Silverbrook discloses a printhead with 552,960 nozzle arrangements (0090) that prints ink drops with a volume of 1 picolitre (0092). Further, the printhead is a full-width printhead which is supplied with a number of different inks which are remote from the printhead and which supply the printhead through tubes/disconnect coupling and an ink supply harness (0056). The printhead is located on a rail along which it slides for service and removal (0054).

It would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the printhead assembly of Silverbrook in the printer of Martin for the purpose of providing a high speed, high resolution printhead.

5. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Yamasaki as applied to claims 1, 4, 5, 14, 21-23, and 40 above and further in view of Hashi et al. (JP 2003-165205A).

With regards to claim 48, Martin as modified discloses a printer as claimed in claim 1 wherein the printer is a self threading printer for producing rolls of wallpaper, comprising:

a media loading area adapted to support a media cartridge (24) in a position so that a media supply slot (slot is provided in printer cabinet so media may enter cabinet) of the cartridge is closely adjacent to a pilot guide (rollers at the upstream side that guide the media to the printer);

a cabinet housing a media path which extends from the pilot guide to a printed media dispensing slot (fig. 2);

a printhead (20) located across the media path;

a processor (38) which accepts operator inputs which are used to configure the printer for producing a particular roll;

a motor within the cabinet for advancing a media web out of the media cartridge (28 is a drive roller, which is thus driven by a motor).

Martin does not expressly disclose the claimed one or more other motors adapted to urge the media along the path and out of the slot.

Hashi et al. discloses a first motor for advancing a media web out of a media cartridge (fig. 5, element 34) and a second motor for winding up the media (element 33).

It would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the motors of Hashi et al. into the invention of Martin for the purpose of enabling the media to be fed from the cartridge and wound up on the take-up reel.

Response to Arguments

6. Applicant's arguments filed 3 April 2007 have been fully considered but they are not persuasive.

Applicant argues that there is no motivation to have a user select from a collection of predetermined patterns, let alone to provide a bar code scanner for such selection, because it is the user's own designs which are to be selected in Martin. However, the limitation that the bar code scanner is for capturing a selection of a pattern or patterns from a collection of patterns is an intended use limitation that does not further limit the structure of the apparatus claims. Further, Martin's disclosure of a user's own designs being selected does not preclude or teach away from selection by a bar code scanner, nor does it teach away from incorporating a bar code scanner in the invention of Martin.

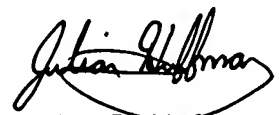
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Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (571) 272-2147. The examiner can normally be reached on 10:00a.m.-6:30p.m. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Julian D. Huffman
Primary Examiner
Art Unit 2853
27 June 2007